## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

MAURICE TYLER,	)	
Petitioner,	) ) )	Case No. 3:10-1187 Chief Judge Haynes
v.	)	
HENRY STEWARD, Warden, et al., Respondents.	) ) )	

OR DER

Upon review of the Memorandum filed on the petition for the writ of habeas corpus, the Court noted an omission that is cured by the Amended Memorandum at page 6. Nothing in the Amended Memorandum alters the Court's earlier Order that all of Petitioner's claims are

DENIED except for Petitioner's claim that his trial counsel failed to call a known and critical witness who would have provided exculpatory evidence that could have caused the Petitioner's acquittal. For that latter claim, the writ is GRANTED and the State would have 120 days to retry the Petitioner.

This is the Final Order in this action.

It is so **ORDERED**.

ENTERED this the 4 day of April, 2014.

Chief United States District Judge